

REMARKS

Applicant would like to thank the Examiner for discussing the outstanding obviousness rejection of the claims in view of Nakahara (US 5,374,366) on November 13, 2003. During the telephone conversation, it was agreed that Applicant would submit a response to amend the claims so that they corresponded in scope with the Rule 1.312 Declaration executed by Dr. Salme Koskimies that was submitted in support of Applicant's arguments filed on May 14, 2003.

In his Declaration, Dr. Koskimies stated that Nakahara does not disclose or suggest replacing NPG with other esters or varying the molar ratio of HPHP in the mixture to improve the solubility of the polyol esters in the refrigerant. To support his argument, Dr. Koskimies relied upon the data presented in Table 4 of the application. The Examiner noted that Applicant could not rely upon this data to support the claims because the ester mixtures in Table 4 do not fall within the scope of the independent claim now pending. Applicant has now amended claim 17. Claim 17 is now directed to polyol mixture compositions that encompass the examples of Table 4. The Declaration of Dr. Koskimies now clearly supports the inventors' surprising discovery that the solubility of complex esters of HPHP could be improved by altering the molar ratio of HPHP in the mixture or by changing the identity of the second polyol and that this was not disclosed or suggested by the prior art. In view of the foregoing amendments and remarks, Applicant submits that the present invention is both novel and non-obvious over the Nakahara reference. Reconsideration and removal of the obviousness rejection is respectfully requested.

Favorable consideration and early allowance of the claims is requested.

In the event there are any additional matters remaining in this application, the Examiner is strongly encouraged to contact the undersigned at (714) 708-8555 in order to discuss these matters.

